

March 20, 2020

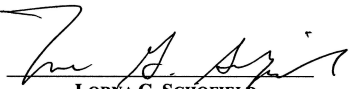
VIA ECF

The Honorable Lorna G. Schofield
United States District Court for the Southern
District of New York
40 Foley Square
New York, NY 10007

The joint letter to be filed by March 26, 2020, pursuant to this Court's Order at Dkt. No. 349, shall not exceed six pages. The parties shall collaborate to ensure both sides have the time necessary to participate in the drafting process.

So Ordered.

Dated: March 20, 2020
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Allianz Global Investors GmbH, et al. v. Bank of America Corporation, et al., 1:18-cv-10364

Dear Judge Schofield:

We write on behalf of Plaintiffs to respectfully seek the Court's guidance concerning the joint letter to be filed by the parties on March 26, 2020, pursuant to the Court's March 2, 2020 Order. *See* Dkt No. 349 ("Order") ("The parties shall jointly file a letter on March 26, 2020, identifying any disputes they propose addressing at the conference.").

Plaintiffs have proposed to Defendants that each side exchange a maximum of three single-spaced pages several days in advance of filing to identify the issues to be raised. Plaintiffs proposal is consistent with (a) the Court's Order requesting only that the parties "identify[] any disputes they propose addressing at the conference"; (b) the purpose of the conference, *i.e.*, "to discuss the progress made during these meet and confer sessions", *id.*; and (c) the Court's Individual Rules and Practices concerning page lengths for letters concerning discovery disputes. *See* Individual Rules of Practice in Civil Cases, § 3.A.1. Defendants have instead proposed that the parties exchange sections of up to seven single-spaced pages (potentially 14 single-spaced pages total) at noon the day before filing.¹

Plaintiffs believe that Defendants' proposal is inconsistent with the Order and the Court's Individual Rules of Practice, and would be unfair to Plaintiffs. Defendants should not be permitted to file the equivalent of a seven-page single-spaced motion to compel without giving Plaintiffs adequate opportunity to respond in writing. It would be particularly unfair to force Plaintiffs to craft a response to a seven-page letter brief in less than 24 hours. This is especially so because the unprecedented health crisis surrounding COVID-19 has forced Plaintiffs' counsel to work from home, where they do not have timely access to the same tools and resources as they would in usual circumstances.

¹ Lest Defendants point to the parties April 28, 2019 joint letter (Dkt. No. 266), it should be noted that the letter was filed (a) in the context of a letter-motion to compel and the Court's direction that "Plaintiffs shall explain, *in detail*, their efforts to supplement their responses, and the JPMorgan Defendants shall advise whether the supplemented responses are sufficient" (Dkt. No. 262); and (b) before the outbreak of COVID-19, which has forced Plaintiffs' counsel to work from home.

Accordingly, Plaintiffs respectfully request that the Court clarify that each side's submission should be limited to three pages and be exchanged no later than 10:00 AM EST on March 24, 2020.

Respectfully submitted,

/s/ Daniel L. Brockett

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